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SEP 15 2009	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
8

9 United States of America,

CR-96-00085-01-PCT-SMM

10 Plaintiff,

11 vs.

12 Stoney Tab Bourke,

**ORDER**

13 Defendant.  
14  
15

16 A detention hearing and a preliminary revocation hearing on the Petition on  
17 Supervised Release were held on September 10, 2009.

18 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and  
19 voluntarily waived his right to a detention hearing and a preliminary revocation hearing and  
20 has consented to the issue of detention being made based upon the allegations in the Petition.

21 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden  
22 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that  
23 he is not a danger to the community. *United States v. Loya*, 23 F.3d 1529 (9th Cir. 1994).

24 **IT IS ORDERED** that the Defendant shall be detained pending further order of the  
25 court.

26 DATED this 15<sup>th</sup> day of September, 2009.

27 

28 Lawrence O. Anderson  
United States Magistrate Judge